



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: July 15, 2003 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: Robert P. Jacques, Vice-Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Absent: John J. Ostrosky, Chairman
John D. Perreault, Town Engineer

Also Present: Brad Stone, Agent

Mr. Jacques opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission noted that past Minutes are being worked on.

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

285-1215 Continued – Public Hearing regarding the Notice of Intent filed by Catherine & William Peters for the construction of a swimming pool at 10 Weagle Farm Road. (Discuss Enforcement Orders issued for the Stonybrook Farm Subdivision and 10 Weagle Farm Road)

Chris Cutler – Cutler-Brown Development, and Peter Bemis – the engineer from Engineering Design Consultants, attended the hearing.

Mr. Bemis the said lots that had wetland impacts and violations are Lots 15A, 17 (which is the Peters lot), 18, 19A, 20A, 21A, 22, 24, 25, and 26. He said the impact was at Woodchuck Hill Road and Old Brook Road.

Mr. Bemis stated that Cutler-Brown built the development and then transferred the property to the homeowners. He said the homeowners then went in and did work on their own in the wetland areas. He said this is true for all the lots, except for the Peters lot, where a contractor (lot sold to another contractor) did some filling when he was building the house and violated the Order of Conditions.

Mr. Bemis reviewed his plan to move forward to correct this problem.

Mrs. Thomas asked why the Order of Conditions wasn't recorded. Mr. Cutler said this was an administration error. Mr. Bemis said it was the Order of Conditions for the lots in the second phase that were not recorded.

Mr. Jacques suggested the Commission might want to consider asking Mr. Bemis to come in with a Notice of Intent to do the replication work.

Mr. Stone asked Mr. Bemis if he had been to the Planning Board about doing some of the replication in some of the open space area. Mr. Bemis said no.

There were some discussions with the homeowners who were in attendance regarding the violations and what Mr. Cutler needs from homeowners to get this fixed.

Mr. Jacques suggested Mr. Bemis file a Notice of Intent, and before the meeting Mr. Cutler should obtain access to the homeowners' properties.

Mr. Jacques continued the hearing to August 19, 2003, for Notice of Intent and pool plan.

285-1226 Continued – Public Hearing regarding the Notice of Intent filed by Scott Ayres for the construction of a single family home addition at 15 Lamplighter Drive

Mr. Jacques continued the hearing to August 19, 2003.

RDA Public Meeting regarding the Request for Determination of Applicability filed by Mass Highway for the milling and resurfacing the Interstate I-290 roadway in Shrewsbury

Mr. Jacques continued the hearing to August 19, 2003.

285-1227 Public Hearing regarding the Notice of Intent filed by Philip Simoneau for the construction of a garage addition at 110 Sewall Street

Phil Simoneau, 110 Sewall Street, attended the hearing. Mr. Simoneau said he wants to add on a garage to his existing home. He said it will be a crosswall foundation and he would dig footings. He said the cut and fill will probably be equal. He noted to the Commission that his septic system is on the opposite side of the house.

Mr. Jacques officially closed the hearing.

285-1228 Public Hearing regarding the Notice of Intent filed by Mark & Therese Podlipec for the construction of a single family home addition at 15 Meadow Lane

Mr. Podlipec said he wants to put on an addition. He said he will be using erosion control. He said he was before the Commission a few years ago for a versa-lok wall, which they installed.

Mr. Polito asked if there would be any additional filling, and Mr. Podlipec said there would not be.

Mr. Jacques asked if there was going to be a full foundation, and Mr. Podlipec said they are using a crosswall.

Mr. Jacques officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by William & Nicole Uzell for the construction of a swimming pool at 69 Hillando Drive**

Bob McGovern – the engineer, attended the hearing. Mr. McGovern said this filing was for construction of a swimming pool. He said the closest point of the pool will be 55 feet from the wetland area. He said they will use haybales along the stonewall, and said there will be some cut to level off an area for a play set. He said the surplus material from the cut will be taken off site.

Mr. Jacques officially closed the hearing.

285-1229 Public Hearing regarding the Notice of Intent filed by Joseph & Karen Walsh for the construction of a swimming pool at 34 Rockwell Drive

Joseph Walsh – the homeowner, and Ralph Wegener – the engineer from Overland Design, 44 Central Street, Berlin, MA, attended the hearing.

Mr. Welener said the Walshes want to construct a swimming pool. He said they are proposing to put the pool far enough away from the existing deck to keep children from wanting to jump off the deck into the pool. He said the pool will, therefore, be 12 feet away from the wetland area. He said they want to create more wetland area. Mrs. Banks commented that she would like to see the pool moved over, further away from the wetland area. Mr. Jacques suggested doing replication area before the pool is built.

Mr. Jacques officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by Matthew & Christine Howard for the construction of a paved roadway and single family house at 100 Prospect Street and Howe Road**

John Grenier – the engineer from J.M. Grenier Associates, attended the hearing. He said the Howards want to subdivide the lot. He said what they have to do is improve the road for 100 feet for access to the back lot. He proposed using two catch basins. He said the single family home would meet all town requirements.

Mr. Grenier said they are finishing with the Planning Board, hopefully at the August meeting. Mr. Stone made a few comments from Engineering.

Mr. Grenier said the detention basin is in the front yard, so he is trying to be sensitive to that and not have it to be an “eyesore.” He said the house is about 50 feet away from the channel and about 80 feet from the wetland area. Mr. Polito noted that it looked like turn-around area work is close to the channel area. Both Mr. Stone and Mr. Polito commented that it seems like the turn-around area is unnecessary encroachment to the wetland. They said it is too much work near the wetland.

Mr. Jacques continued the hearing to August 19, 2003.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability

285-1226	15 Lamplighter Drive – continued
285-1215	10 Weagle Farm Road – continued
RDA	Route 290 – continued
285-1227	110 Sewall Street – conditionally approved
285-1228	15 Meadow Lane – conditionally approved
285-****	69 Hillando Drive – conditionally approved
285-1229	34 Rockwell Drive – conditionally approved with three members voting in favor and one member opposed
285-****	100 Prospect Street & Howe Road – continued

b. Discussed wetland violation, 70 Grove Street

Mr. Stone gave an overview of the history of the Tibbets property being affected by run-off. He said the problem was originally from the Toll Brothers project above them, but now it seems to be from the Sundeen property next door to them.

The Commission voted to issue the Enforcement Order to have an engineer assess the situation and make recommendations to the Commission.

5. Old Business

a. Discussed/Signed Certificates of Compliance

b. Discussed/Signed Extension Requests

285-1056 20 Colonial Drive

6. Correspondence

The meeting adjourned at 8:40 P.M.

Respectfully Submitted,

Annette W. Rebovich